



## THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wilbur C. Bewley, Jr., et al )  
)  
Serial No.: 09/954,946 ) Examiner: Not known  
)  
Filed: September 18, 2001 ) Art Unit: 1732  
)  
For: Apparatus and method for three-dimensional  
scanning of a subject, fabrication of a natural  
color model therefrom, and the model produced  
thereby

The Honorable Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**REMARKS CONCERNING FORMALITIES LETTER**

Applicants acknowledge receipt of a Formalities Letter, entitled "Notice to File Corrected Application Papers." Said letter was mailed on October 19, 2001, in the same envelope as Confirmation No. 8511 and a License for Foreign Filing. All of these papers were received by the undersigned Patent Practitioner on October 22, 2001.

Applicants are submitting herewith two sheets of drawings that have been reduced in size to achieve the margins indicated in the Formalities Letter.

Applicants respectfully submit that the drawing sheets provided with the application and related papers, filed on September 18, 2001, were obviously informal drawings, intended solely for use by the Examiner. Applicants intend to submit formal drawings at such time as the application has been allowed.

**Certificate of Mailing (37 C.F.R. §1.8 (a))**

I hereby certify that this paper is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on October 23, 2001

Name of Person Depositing Bruce P. Dardes

Signature of Person Depositing [Signature]

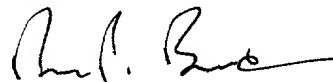
Date Signed October 23, 2001

Applicants have a copending application, Serial No. 09/954,645, also filed on September 18, 2001. On October 22, 2001, the undersigned Patent Practitioner received Confirmation No. 8213 and a License for Foreign Filing pertaining to this second application. There was no Formalities Letter enclosed with these papers. Note that the papers pertaining to these two applications were received on the same day.

These two applications embrace very similar technologies. The technologies are so similar that one application was literally word processed from the other, with relatively little rewriting. Because of the similarity, the undersigned Patent Practitioner very carefully arranged to mail both of them on the same date, so that neither could be a reference against the other. Somehow, the two similar applications have been assigned to different Group Art Units.

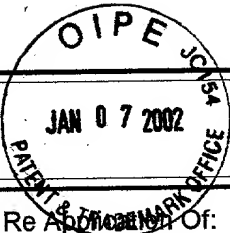
Applicants are puzzled, and perhaps a bit disappointed, that their two similar applications have been accorded different treatment. Applicants are concerned that the requirement set forth in the referenced Formalities Letter will result in delaying the examination of the subject application. To minimize any such delays, this communication is being mailed to the U. S. Patent Office on the next business day following receipt of the referenced Formalities Letter. Applicants sincerely hope that the subject application will be promptly dispatched to the Examiner, with minimum delay.

Respectfully submitted,



Bruce P. Bardes  
Reg. No. 34,544

Date: October 23, 2001  
7651 Cornell Road  
Montgomery, Ohio 45242  
(513) 489-1891



<b>TRANSMITTAL LETTER</b> <b>(General - Patent Pending)</b>	Docket No. 010909
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In Re Application Of: **Wilbur C. Bewley, Jr. and Roger A. Jackson**

Serial No. 09/954,946	Filing Date September 18, 2001	Examiner Not known	Group Art Unit 1732
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Title:

**Apparatus and method for three-dimensional scanning of a subject, fabrication of a natural color model therefrom, and the model produced thereby**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is:

**Copy of Formalities Letter, mailed October 19, 2001, entitled "Notice to File Corrected Application Papers," with two (2) sheets of substitute drawings required therein.**

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☐ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. \_\_\_\_\_ as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of \_\_\_\_\_
  - ☐ Credit any overpayment.
  - ☐ Charge any additional fee required.

*Signature*

Dated: **October 23, 2001**

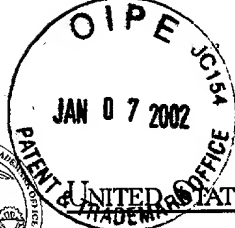
I certify that this document and fee is being deposited on **October 23, 2001** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

*Signature of Person Mailing Correspondence*

**Bruce P. Bardes**

*Typed or Printed Name of Person Mailing Correspondence*

CC:



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/954,946	09/18/2001	Wilbur C. Bewley JR.	010909

CONFIRMATION NO. 8511

## FORMALITIES LETTER



\*OC000000006924498\*

Bruce P. Bardes  
7651 Cornell Road  
Montgomery, OH 45242

Date Mailed: 10/19/2001

## NOTICE TO FILE CORRECTED APPLICATION PAPERS

*Filing Date Granted*

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

RAB